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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 TERON FRANKLIN,

7 Plaintiff,

8 v.

9 STATE OF NEVADA, *et al.*,

10 Defendants.

Case No. 3:18-cv-00522-MMD-CLB

ORDER ON
NINTH CIRCUIT REMAND

11
12 On March 13, 2020, the Ninth Circuit issued an order affirming this Court's
13 screening order in part, reversing it in part, and remanding with instructions for further
14 proceedings. (ECF No. 13 at 2.) Specifically, the Ninth Circuit reversed and remanded for
15 this Court to give Plaintiff leave to file an amended complaint only on the allegations in
16 paragraphs 104 to 106 in Plaintiff's complaint. (*Id.* at 1–2.) The Court now grants Plaintiff
17 leave to file a first amended complaint on the allegations in paragraphs 104 to 106 in
18 Plaintiff's original complaint. The Court also grants Plaintiff's motion for a copy of his
19 original complaint. (ECF No. 14.)

20 For the foregoing reasons, it is ordered that the Clerk of the Court is directed to
21 vacate the screening order (ECF No. 6) and judgment (ECF No. 8) in this case and reopen
22 this case.

23 It is further ordered that if Plaintiff chooses to file an amended complaint on the
24 allegations in paragraphs 104 to 106 in Plaintiff's original complaint, as permitted by the
25 Ninth Circuit remand, Plaintiff will file the amended complaint on or before May 15, 2020.

26 It is further ordered that the Clerk of the Court will send to Plaintiff the approved
27 form for filing a § 1983 complaint, instructions for the same, and a copy of his original
28 complaint (ECF Nos. 7, 7-1). If Plaintiff chooses to file an amended complaint, he should

1 use the approved form and he will write the words "First Amended" above the words "Civil
2 Rights Complaint" in the caption.

3 It is further ordered that if Plaintiff fails to file a first amended complaint on the
4 allegations in paragraphs 104 to 106 in Plaintiff's original complaint on or before Friday,
5 May 15, 2020, the Court will dismiss this action with prejudice.

6 It is further ordered that Plaintiff's motion for a copy of his complaint (ECF No. 14)
7 is granted.

8 DATED THIS 13th day of April 2020.



MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE